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FACEBOOK, INC. and MARK ZUCKERBERG

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

15 FACEBOOK, INC. and MARK
ZUCKERBERG,

16 Plaintiffs,

17 v.

18 CONNECTU, INC. (formerly known as
19 CONNECTU, LLC), CAMERON
WINKLEVOSS, TYLER WINKLEVOSS,
20 DIVYA NARENDRA, PACIFIC
NORTHWEST SOFTWARE, INC.,
21 WINSTON WILLIAMS, WAYNE CHANG,
and DAVID GUCWA,

22 Defendants.
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Case No. 5:07-CV-01389-RS

**DECLARATION OF MONTE M. F.
COOPER IN SUPPORT OF SEALING
EXHIBITS U, CC, DD AND EE TO
THE DECLARATION OF I. NEEL
CHATTERJEE IN SUPPORT OF
FACEBOOK'S MOTION FOR
SANCTIONS**

Date: September 26, 2007

Time: 9:30 a.m.

Judge: Honorable Richard Seeborg

1 I, Monte Cooper, declare as follows:

2 1. I am Of Counsel at the law firm of Orrick, Herrington & Sutcliffe, counsel for
3 Plaintiffs Facebook, Inc. and Mark Zuckerberg in this action, and a member of the Bars of the
4 states of California and Colorado. I make this declaration in support of Facebook's
5 Administrative Request Pursuant to Local Civil Rule 79(b) & (d) to File Under Seal Exhibits J, U,
6 BB, CC, DD and EE to the Declaration of I. Neel Chatterjee in Support of Facebook's Motion for
7 Sanctions. I make this declaration of my own personal knowledge and, if called as a witness, I
8 could and would testify competently to the truth of the matters set forth herein

9 2. **Exhibit U** is a copy of supplemental briefing submitted by ConnectU in the
10 Massachusetts litigation. It has been marked Confidential by ConnectU pursuant to the Protective
11 Order entered in that matter, in part because it refers to deposition testimony and materials
12 produced by Facebook and Mark Zuckerberg that have been separately marked Confidential
13 under the Protective Order. Good cause exists for sealing Exhibit B pursuant to Local Civil Rule
14 79-5(b).

15 3. **Exhibit CC** is a copy of Facebook's Motion to Compel the deposition of
16 ConnectU, which Facebook filed in the Superior Court in this action. This motion contains
17 references to confidential material. It was marked Confidential by Facebook pursuant to the
18 Protective Order entered in this matter, and was filed under seal in the Superior Court. Good
19 cause exists for sealing Exhibit CC pursuant to Local Civil Rule 79-5(b).

20 4. **Exhibit DD** is a copy of Facebook's Motion to Compel responses by ConnectU to
21 written discovery, which Facebook filed in the Superior Court in this action. This motion
22 contains references to confidential material. It was marked Confidential by Facebook pursuant to
23 the Protective Order entered in this matter, and was filed under seal in the Superior Court. Good
24 cause exists for sealing Exhibit DD pursuant to Local Civil Rule 79-5(b).

25 5. **Exhibit EE** is a copy of Facebook's Motion to Compel responses by ConnectU to
26 written discovery, which Facebook filed in the Superior Court in this action. This motion
27 contains references to confidential material. It was marked Confidential by Facebook pursuant to
28 the Protective Order entered in this matter, and was filed under seal in the Superior Court. Good

1 cause exists for sealing Exhibit EE pursuant to Local Civil Rule 79-5(b).

2 I declare under penalty of perjury that the foregoing is true and correct to the best of my
3 knowledge.

4 Executed this 22nd day of August, 2007, at Menlo Park, California.

5
6 /s/ Monte M. F. Cooper /s/

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11 **Filer's Attestation:** Pursuant to General Order No. 45, §X(B), I attest under penalty of
12 perjury that concurrence in the filing of the document has been obtained from its signatory.

13 Dated: August 22, 2007

Respectfully submitted,

14 /s/ I. Neel Chatterjee /s/
15 I. Neel Chatterjee

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on August 22, 2007.

Dated: August 22, 2007.

Respectfully submitted,

/s/ I. Neel Chatterjee /s/

I. Neel Chatterjee